

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:

SCOTT VINCENT VAN DYKE,

Debtor.

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§ § §
§ § §

Chapter 11

Case No. 21-60052

**MICHAEL L. NOEL'S WITNESS AND
EXHIBIT LIST FOR AUGUST 24, 2021 HEARING**

Michael L. Noel (“Noel”) by and through its undersigned counsel, hereby files this Witness and Exhibit List for the hearing on *Michael L. Noel's Motion for Relief from Stay Regarding State Court Litigation* [Docket No. 37].

WITNESSES

Noel may call any of the following as a witness at the hearing:

1. Mike Seely and/or Jill Hale, counsel for Noel in state court lawsuit filed against Scott Van Dyke (“Van Dyke”);
2. Any witness called or designated by any other party in interest; and
3. Any witness necessary to rebut the testimony of witnesses called or designated by any other party.

EXHIBITS

Noel may offer any one or more of the following exhibits at the hearing:

EXHIBIT	DESCRIPTION	M A R K E D	O F F E R E D	O B J E C T	A D M I T

1.	Van Dyke Response, asserting statute of limitations defense, filed on Jan. 18, 2021 in <i>Noel et al. v. Van Dyke et al.</i> , pending in the 127 th District Court of Harris County, Texas (the “ <u>State Court Lawsuit</u> ”)				
2.	Order Granting Partial Summary Judgment (signed on Feb. 10, 2021 in State Court Lawsuit)				
3.	Email exchanges during Feb—May 2021 re trial settings in State Court Lawsuit, among (i) counsel for Dr. Noel, (ii) counsel for Van Dyke, and (iii) trial coordinator				
4.	Timeline Summary				
	Any document or pleading filed in the above-captioned main cases				
	Any exhibit necessary for impeachment and/or rebuttal purposes				
	Any exhibit identified or offered by any other party				

Noel reserves the right to use additional demonstrative exhibits as they deem appropriate in connection with this hearing. Noel also reserves the right to call or to introduce one or more, or none, of the witnesses or exhibits listed above, and further reserves the right to supplement or amend this list at any time prior to the hearing.

Dated: August 20, 2021

Respectfully submitted,

FOLEY & LARDNER LLP

/s/ David S. Elder
 David S. Elder
 State Bar No. 06507700
 1000 Louisiana Street, Suite 2000
 Houston, Texas 77002-2099
 Telephone: 713-276-5500
[Email: dselder@foley.com](mailto:dselder@foley.com)

ATTORNEYS FOR MICHAEL L. NOEL

CERTIFICATE OF SERVICE

I do hereby certify that on August 20, 2021 a true and correct copy of the foregoing Exhibit List was served by United States mail, first class, postage prepaid to the parties on the attached service list or via CM/ECF to all parties authorized to receive electronic notice in this case.

/s/ David S. Elder _____

David S. Elder

Label Matrix for local noticing

0541-6

Case 21-60052

Southern District of Texas

Victoria

Fri Aug 20 10:47:52 CDT 2021

Henke, Williams & Boll, LLP
 2929 Allen Parkway, Suite 3900
 Houston, TX 77019-7125

6
 United States Bankruptcy Court
 PO Box 61010
 Houston, TX 77208-1010

AmeriCredit/GM Financial
 Attn: Bankruptcy
 PO Box 183853
 Arlington, TX 76096-3853

BBVA Compass
 Attn: Bankruptcy
 PO Box 10566
 Birmingham, AL 35296-0001

Bank of America
 4909 Savarese Circle FL1-908-01-50
 Tampa, FL 33634-2413

Cadence/Superior Bank
 Operations Center
 Birmingham, AL 35203

Central Portfolio Control
 Attn: Bankruptcy Attn: Bankruptcy
 10249 Yellow Circle Dr , Ste 200
 Minnetonka, MN 55343-9111

Chase Auto Finance
 P.O. Box 78101
 Phoenix, AZ 85062-8101

(p) JPMORGAN CHASE BANK N A
 BANKRUPTCY MAIL INTAKE TEAM
 700 KANSAS LANE FLOOR 01
 MONROE LA 71203-4774

Citibank
 Citicorp Credit Svcs/Centralized Bk dept
 PO Box 790034
 St Louis, MO 63179-0034

Encore Bank
 Nine Greenway Plaza
 Houston, TX 77046-0900

Harris County et al.
 c/o John P. Dillman
 Linebarger Goggan Blair & Sampson LLP
 P.O. Box 3064
 Houston, TX 77253-3064

Henke, Williams & Boll, LLP
 2929 Allen Parkway, Suite 3900
 Houston, Texas 77019-7125

JPMorgan Chase Bank, N.A.
 s/b/m/t Chase Bank USA, N.A.
 c/o Robertson, Anschutz & Schneid, P.L.
 6409 Congress Avenue, Suite 100
 Boca Raton, FL 33487-2853

Johns & Hebert PLLC f/k/a Johns & Counsel PL
 2028 East Ben White Boulevard, Suite 240
 Austin, Texas 78741-6931

Michael L. Noel
 12222 Taylorcrest
 Houston, TX 77024-4247

(p) PHOENIX FINANCIAL SERVICES LLC
 PO BOX 361450
 INDIANAPOLIS IN 46236-1450

(p) TMX FINANCE LLC FORMERLY TITLEMAX
 15 BULL STREET
 SUITE 200
 SAVANNAH GA 31401-2686

US Trustee
 Office of the US Trustee
 515 Rusk Ave
 Ste 3516
 Houston, TX 77002-2604

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut
 PO Box 130000
 Raleigh, NC 27605-1000

Wells Fargo Dealer Services
 Attn: Bankruptcy 1100 Corporate Center D
 Raleigh, NC 27607-5066

Brendon D Singh
 Tran Singh, LLP
 2502 La Branch Street
 Houston, TX 77004-1028

Eva S. Engelhart, Chapter 7 Trustee
 7700 San Felipe, Suite 550
 Houston, TX 77063-1618

Melissa A Haselden
 Haselden Farrow PLLC
 Pennzoil Place
 700 Milam
 Suite 1300
 Houston, TX 77002-2736

Reese Baker
 950 Echo Lane, Suite 300
 Houston, TX 77024-2824

Scott Vincent Van Dyke
 1515 South Boulevard
 Houston, TX 77006-6335

Susan Tran Adams
 Tran Singh LLP
 1010 Lamar
 Suite 1160
 Houston, TX 77002-1349

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4) .

Chase Card Services
Attn: Bankruptcy
PO Box 15298
Wilmington, DE 19850

Phoenix Financial Services, LLC
Attn: Bankruptcy
PO Box 361450
Indianapolis,, IN 46236

Titlemax of Texas
15 Bull St Ste 200
Savannah, GA 31401-2686

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Anzar Settlement Funding Corp.

(u)Builders West, Inc.

(u)Cadence Bank, N.A.

(u)Littlemill Limited

(u)Philadelphia Indemnity Insurance Company

(u)Prosperity Settlement Funding, Inc.

(du)Philadelphia Indemnity Insurance Company

(u)Andrea Lore

(u)Michael L. Noel

End of Label Matrix	
Mailable recipients	29
Bypassed recipients	9
Total	38

Anzar Settlement Funding Corp
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Littlemill Limited
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Prosperity Settlement Funding, Inc.
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

American Oil & Gas, LLC
PO Box 22322
Houston, TX 77227

AT&T U-Verse
PO Box 5014
Carol Stream, IL 60197

Propel Financial Services, LLC
PO Box 100350
San Antonio, TX 78201

Philadelphia Indemnity Insurance Company
c/o KF&D, PLLC
909 18th Street
Plano, TX 75074

Builders West, Inc.
c/o Dale R Mellencamp
BairHilty PC
14711 Pebble Bend Drive
Houston, TX 77068

Andrea Lore
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Ha Minh Nguyen
Jason Ruff
Office of the United States Trustee
515 Rusk St., Ste. 3516
Houston, TX 77002

Builders West, Inc.
c/o Rusty Hardin & Associates, LLP
1401 McKinney, Suite 2250
Houston, TX 77010

City Of Houston – Water Department
PO Box 1560
Houston, TX 77251

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Cadence Bank, NA
c/o Travis Clayton Badger
3400 Ave H, 2nd Fl
Rosenberg, TX 77471

Philadelphia Indemnity Insurance
c/o Robert W. Miller
Manier & Herod, P.C.
1201 Demonbreun Street, Suite 900
Nashville, TN 37203

Anglo-Dutch Energy, Anglo-Dutch (Tenge) LLC, Anglo-Dutch Everest, LLC, Anglo-Dutch (Neftenge), & Anglo-Dutch Energy Partners IV, LLC
PO Box 22322
Houston, TX 77227

Trieagle Energy
PO Box 974655
Dallas, TX 75397

CenterPoint Energy
Attn: Bankruptcy
PO Box 4981
Houston, TX 77210-4981

Littlemill Limited
c/o HMH
3200 Travis 4th Floor
Houston, TX 77006